

1
2
3 IN RE THE PUBLIC HEARING OF THE)
4 CALFED BAY-DELTA)
5 _____)

ORIGINAL

6
7
8
9 TRANSCRIPT OF PROCEEDINGS

10 Ruben H. Fleet Science Center

11 Balboa Park

12 1875 El Prado

13 San Diego, California 92101

14
15 Wednesday, September 1, 1999 at 6:58 p.m.
16
17
18
19

20 REPORTED BY: BECKY L. OWENS, CSR NO. 11944, RPR
21
22

23 PORTALE & ASSOCIATES DEPOSITION REPORTERS
24 211 East Weber Avenue
25 Stockton, California 95202
(209) 462-3377

PORTALE & ASSOCIATES (209) 462-3377

C - 0 2 2 1 5 5

PRESENT:

JOE BODOVITZ, Hearing Officer

STEVE RITCHIE, CALFED Bay-Delta Program

TERESA PACHECO, Corps of Engineers

STEVE MACAULEY, Department of Water Resources

RON REMPEL, Deputy Director, Department of Fish

and Game

VALERIE HOLCOMB, Public Affairs Officer

MEMBERS OF THE PUBLIC

-oOo-

1 (All parties present, the following proceedings were
2 had at 6:58 p.m.):

3

4 HEARING OFFICER BODOVITZ: It's a couple of
5 minutes before 7:00, but I assume nobody will mind if
6 we start a couple of minutes early. There are some
7 seats down in front and over at the side, for those of
8 you who are standing up in the back, and if you'd be
9 more comfortable, you can take some of the seats.

10 My name is Joe Bodovitz, and I will be
11 conducting the hearing tonight, as Rick said. In a
12 moment I'll explain the ground rules for how we
13 proceed, but the key one is, if you wish to speak,
14 please fill out one of these yellow cards that are on
15 the table outside. We take speakers in the order in
16 which the cards are filled out. There's time to fill
17 one out right now if you wish to speak, or if, as the
18 hearing goes on, you wish to speak.

19 As I say, my name is Joe Bodovitz, and although
20 I work with CALFED, I am not part of it. Rather, I
21 head a small organization, called the California
22 Environmental Trust, that works to help people find as
23 much agreement as they can find on the kind of complex
24 issues that we all know face California, water being
25 near -- at or near the top of the list. And my role as

1 an outsider is to help ensure that these hearings are
2 conducted in an impartial, unbiased and independent
3 manner.

4 Now, with me at the table tonight are some of
5 the key people in CALFED, the people who make the
6 CALFED decisions, and let me introduce them to you.

7 Teresa -- the list I have doesn't exactly show
8 where they're sitting. Teresa Pacheco of the Army
9 Corps of Engineers; Steve Ritchie, whom you've already
10 met, of the CALFED Bay-Delta staff, Deputy Executive
11 Director; Ron Rempel, Deputy Director of the Department
12 of Fish and Game; and Steve Macauley, Chief Deputy
13 Director of the Department of Water Resources. We're
14 very pleased to have them here tonight to hear your
15 comments firsthand.

16 Now, all of the testimony that you give tonight
17 is taken down by a court reporter and it's being
18 recorded. And, in addition, you may submit comments of
19 any length on this very complicated subject, and
20 there's a paper on the table at the back that will
21 explain exactly how you do that and where you send the
22 comments. In the interest of letting as many people
23 talk as early as possible, however, what we've been
24 doing in all of the hearings all up and down the
25 state -- this is 1 of 16 hearings being held all over

Page 5

1 California from San Diego to Redding -- the ground
2 rules are that everybody's oral statements will be
3 limited to three minutes. And to help you keep track
4 of how you're doing, we have a little traffic light
5 here. When the green light is on, it means you have
6 your three minutes; when the yellow light is on, it
7 means you have one minute; and when the red light is
8 on, we ask that you wrap up your sentence, or at least
9 the paragraph, in fairness to everybody else.

10 Now, in order to make -- use our time tonight as
11 efficiently as possible, I will call the names of three
12 speakers at a time, and if, as you hear your name
13 called, you're seated in the middle of one of the back
14 rows, it will probably help us keep moving if you'll
15 come out and take one of these seats up front, so that
16 when we get to you, you'll be right here and ready to
17 speak.

18 So if there are no questions about procedure,
19 we'll begin. And as I say, we take the speakers in the
20 order in which cards were filled out.

21 Our first speaker tonight is Bill DuBois,
22 followed by Suzanne Michel, followed by Bill Pauli.

23 MR. DuBOIS: Good evening.

24 I'm William I. DuBois, and some of you people
25 probably think I'm an old man but I'm not. I never

Page 6

1 missed an election in Imperial Valley since 1917,
2 although I wasn't old enough to vote until 1937. I
3 made a mistake by coming here early tonight and seeing
4 your excellent presentation, because it really softened
5 up my testimony. I'm familiar with your EIR/EIS. I'm
6 pretty well informed on both state-wide water issues
7 and on the Colorado River water issues.

8 I think the most unfortunate aspect of your
9 report is that it reflects the sad state of public
10 information and understanding of the relationship
11 between people, fish, wildlife, food, and water, and
12 wet and dry years. CALFED takes a very bold approach
13 to protecting and enhancing wildlife but a very timid
14 approach to providing water to keep our anticipated
15 future population of people also supplied with
16 homegrown food. And by "homegrown," I mean food grown
17 in California. Instead, you propose taking land and
18 water away from farmers and giving it to the government
19 to improve wildlife and allow cities to grow. It's
20 okay to let cities grow if they want to, and to improve
21 wildlife, but you are not developing the water for it;
22 you're reducing our farm supplies. In Imperial, we're
23 lucky, because we have enough water. But I know that
24 much of the state's farms are now short of water and
25 overdrafting our groundwater supplies.

Page 5 - Page 8

Page 7

1 Imperial Valley used to have great wildlife
2 before water conservation set in. We now have
3 cement-lined all our canals and all our ditches, and we
4 don't have any seepage and very few weeds growing on
5 the banks; whereas, formerly we had lots of dove,
6 quail, roadrunners, orioles, owls, hawks, blackbirds,
7 butcher birds, and turkey buzzards. And I haven't seen
8 a buzzard down there in ten years. This is the
9 downside of what you call conservation.

10 We will get left with just enough water to maybe
11 raise our crops, and our runoff to Salton Sea will dry
12 up. You'll take our water and, by substitution, make
13 things better for wildlife somewhere else, while ours
14 suffers. And all because you won't build surface
15 reservoirs to make water available for in-stream uses
16 you want to improve.

17 Dams help decrease flooding in wet years and
18 store water for dry years. Instead, you want to build
19 more levees. They only protect the area behind the
20 levees, not the areas upstream and downstream from the
21 levees. And they flush our water out to sea, instead
22 of helping it soak into the ground and help the
23 groundwater supply. In-stream surface reservoirs will
24 help groundwater reservoirs become more valuable.

25 HEARING OFFICER BODOVITZ: Mr. DuBois,

Page 8

1 you're doing great, but the three minutes are gone.

2 MR. DuBOIS: All right. Thank you very
3 much.

4 HEARING OFFICER BODOVITZ: Thank you, sir.

5 Suzanne Michel, Bill Pauli, Bob Vice.

6 MS. MICHEL: Hi. My name is
7 Suzanne Michel. I am a professor at San Diego State
8 University. I specialize in water pollution law and
9 water law too.

10 To me, this CALFED problem is about water
11 quality, and we know that. It's about improving water
12 quality to support the Bay-Delta ecosystem. It's also
13 improving the drinking water quality where we import
14 to, especially our urban regions. But also it's
15 talking about improving water quality in Southern
16 California urban watersheds. CALFED needs to invest in
17 Southern California watershed management. We need to
18 start looking at restoring urban watersheds. We need
19 to start looking at better groundwater management. And
20 also start investing in water reclamation.

21 We in Southern California have to start thinking
22 about, and also throughout the whole state, increasing
23 self-sufficiency and decreasing the need for imported
24 water.

25 One of the positive things that's going on in

<p style="text-align: right;">Page 9</p> <p>1 terms of self-sufficiency in San Diego, and I think I'm 2 very proud of, and we're very very proud of, is the 3 water reclamation program by the City of San Diego 4 Metropolitan Waste Water Department. We're looking at 5 trying to reclaim as much water as possible within the 6 region and inject that water into groundwater; and also 7 use it for non-potable uses, like industry and also for 8 urban landscaping. And we're also looking at 9 binational efforts. We are a thriving binational 10 economic region, and we're now looking at setting up a 11 binational water reclamation plant, and I'm very proud 12 of that. But there are some problems that we have in 13 our area.</p> <p>14 In East County of the San Diego region, there's 15 a small city called Lakeside, and now they draw some of 16 the water from the well water in the area, which comes 17 from an off-feeder from the San Diego River. This well 18 water is now being contaminated by MTBE by leaking 19 underground gas stations.</p> <p>20 And I went to a public hearing about the MTBE 21 problem, and two things disturbed me. One thing a 22 government official said, "Well, the leaking 23 underground storage tanks are in compliance, there's 24 nothing you can do about it, oh, well, so much for well 25 water." The very next government official got up and</p>	<p style="text-align: right;">Page 11</p> <p>1 more to serve the needs of California's people. 2 San Diego houses both the state's second largest 3 city and an agricultural economy that generates more 4 than \$1 billion worth of farm receipts each year. To 5 provide for its growing urban population and maintain 6 its innovative farms, San Diego needs reliable, 7 high-quality water supplies. Both CALFED's -- but 8 CALFED's plan undermines the reliability of water 9 supply for people statewide. It focuses too narrowly 10 on serving fish and wildlife, and postpones work to add 11 water supplies.</p> <p>12 New water supplies will help both the 13 environment and the people, especially during a 14 drought. We know another drought is inevitable. 15 Farmers in San Diego have led the way in adopting 16 water-efficient farming methods. And farmers 17 throughout the state have made consistent 18 improvements. California farmers use less water now 19 than they did 30 years ago, and our production of crops 20 have increased 67 percent. But those improvements have 21 not led to more reliable water supply, and our future 22 conservation efforts will not be enough to avert water 23 shortages.</p> <p>24 CALFED must work aggressively to help California 25 capture more fresh water during rainy years. It should</p>
<p style="text-align: right;">Page 10</p> <p>1 said, "You know what? I got a solution for you. 2 Import water." And it seemed like that was just the 3 solution to the problem. It was like imported water 4 was this panacea. And one of the things that did not 5 get out to the public is, what about cleaning up that 6 well water? What about watershed restoration and 7 really working to hold onto this local water supply? 8 So, basically, that's just what I wanted to say, 9 is that we have to also look to work and restore and 10 protect our urban watersheds and local water supplies, 11 and I think that will also increase the level of 12 drinking water quality that we import from Northern 13 California, and also the Colorado River.</p> <p>14 Thank you.</p> <p>15 HEARING OFFICER BODOVITZ: Thank you, 16 Ms. Michel.</p> <p>17 Bill Pauli of the California Farm Bureau 18 Federation; then Bob Vice; and then Fred, it looks like 19 Caghl to me, of Audubon.</p> <p>20 MR. PAULI: Good evening. My name is 21 Bill Pauli. I'm a farmer from Potter Valley and 22 president of the California Farm Bureau.</p> <p>23 All the hearings you will have, none is further 24 away from the Bay-Delta physically as the one tonight. 25 But no place demonstrates better how CALFED must do</p>	<p style="text-align: right;">Page 12</p> <p>1 look more closely at desalination, which is being 2 discussed at the convention of experts here in 3 San Diego tomorrow and Friday. CALFED encourages 4 Southern California's continued efforts toward regional 5 self-sufficiency in water.</p> <p>6 At the same time, CALFED must minimize its 7 effect on California farmland. Our state's farmland is 8 both an ecological and economic resource. Removing 9 hundreds of thousands of acres of land from production, 10 as CALFED proposes, will harm farmers and farm workers 11 throughout the state, plus the people and the consumers 12 of our great state. Actions that hurt our rural areas 13 hurt all of our cities as well. Thousands of urban 14 jobs involve moving, processing and marketing farm 15 products. CALFED is made up of state and federal 16 agencies which must return to its basic mission and 17 coordinate a plan that assures reliable, high-quality 18 water for people while addressing the Bay-Delta 19 concerns.</p> <p>20 Thank you.</p> <p>21 HEARING OFFICER BODOVITZ: Thank you, 22 Mr. Pauli.</p> <p>23 Bob Vice, Fred Caghl, Janet Kister.</p> <p>24 MR. VICE: Well, thank you for being here 25 tonight and taking the testimony this far away from the</p>

Page 13

1 delta. My name is Bob Vice. I'm a farmer in
2 North County.
3 I served on the BDOC committee, the prunner to
4 BDAC. I also served on the BDAC committee. One of the
5 things that we were told early on and we saw just now
6 alluded to in the video, was that we were assured that
7 we were all going to get better together. And I think
8 this document falls short of that balance that's talked
9 about in it. It's been alluded to about taking the
10 farmland out, so I won't spend my time on that.
11 But I would like to go back and talk about
12 storage because, even though that might not have been
13 seen as part of the work load for the BDOC -- for the
14 CALFED process, it certainly is part of the overall
15 balance. The last new facility of any size to come on
16 line was Neumonimus (phonetic) in 1976. The population
17 of California at the time was just under 12 million
18 people. Today it's 32 million people. We've grown by
19 20 million people, and we really incurred no new large
20 facilities as far as water.
21 It has to be a part of the overall balance of
22 this program. You can't just keep cutting the pie
23 smaller and smaller. You have to develop some new
24 water supplies. That's going to be primary to any kind
25 of balanced program and long-range program, and if you

Page 14

1 talk about the additional -- taking the water out of
2 production -- or the land out of production, seven out
3 of the last nine years, farmers in the Central Valley,
4 even in some of those being very wet years, have not
5 received the full CVP supply at their water district.
6 So naturally, you're going to get a lot of willing
7 sellers when you want to start converting land because
8 they see their options long-term as being very, very
9 thin. So you're going to get an awful lot of people
10 that are going to say, I'll either sell my land now
11 while I have an opportunity, or I get stuck with a
12 piece of land that I can't get water to farm.
13 I think, as Bill indicated, it's certainly a --
14 when you start talking about 100 or 200,000 acres, the
15 third-party impacts that come from something like that
16 are tremendous. Not only farm workers and the farmers
17 themselves, but whole communities, whether it's the
18 fertilizer dealer, the pickup dealer, the school
19 districts. And we've seen some of those in drought
20 years, what's happened to some of the small communities
21 up there as it relates to what happens with their
22 schools. And so please consider that a major portion
23 of this balance has to be additional storage.
24 Thank you.
25 HEARING OFFICER BODOVITZ: Thank you,

Page 15

1 Mr. Vice.
2 Fred Caghl, Janet Kister, Ed Kimura.
3 MS. OLSEN: Fred got paged to go to the
4 hospital, so I'm going to read his statement for him.
5 HEARING OFFICER BODOVITZ: Okay. Your
6 name?
7 MS. OLSEN: Jenna Olsen.
8 As Hanna Adbrect (phonetic) said, there are
9 certain times in history when things that have worked
10 in the past no longer work, and the things that work in
11 the future are not clear yet. Often these moments are
12 moments of truth, and I suggest that CALFED is rapidly
13 approaching this time in history.
14 It is a time to approach improved water quality
15 by enforcing pollution limits. We would like to see
16 major emphasis placed on the rapid development of
17 TMDLs -- total maximum daily loads -- especially for
18 nutrients, and the rapid establishment of best
19 management practices to lower input from ag and urban
20 sources to our water supply.
21 CALFED needs a water pollution prevention
22 timetable focused on maintaining beneficial uses of our
23 water systems, with a greatly accelerated timetable for
24 implementation of control of non-point source
25 pollution.

Page 16

1 And he made some notes during the video, noting
2 that the video said that the program could include
3 non-point source pollution control, and he thinks that
4 it should and must include those.
5 Will CALFED and other water agencies accomplish
6 this or will it be up to the courts to protect our
7 water supplies?
8 There are currently tremendous public subsidies
9 to pay for water projects. The most recent example was
10 the \$327 million appropriated by the state to pay for
11 canal lining of the All-American and Coachella canals
12 to conserve 100,000 plus acre feet of water. Although
13 this action was portrayed as critical to the four-point
14 floor plan and the CALFED system, it is very unclear
15 what the relationship is between occurrences in
16 Southern California and Northern California water
17 systems. Much more public disclosure is needed on the
18 effect of water transfers on the entire system, and if
19 this conserved water is subsequently sold to urban
20 uses, those that profit from this exchange of public
21 water supply should be required under the plan to pay
22 for the improvements that made that transfer possible.
23 In light of the costs such as the canal lining
24 and the 12 new proposed dams, comparative costs of
25 conservation, recycling, groundwater storage, watershed

<p style="text-align: right;">Page 17</p> <p>1 management, and restoration, advanced water treatment 2 technologies should be publicly compared to costs for 3 the 12 new dams and reservoirs, and environmental 4 economics should be involved as a part of the economic 5 picture. Let the public see the costs of 1930's 6 technology of dams and reservoirs versus the 2,000 -- 7 year 2000 cost of conservation. This analysis would 8 also help to define the CALFED environmental water 9 account, which is poorly defined under the current 10 plan.</p> <p>11 Finally, there appear to be tremendous questions 12 of water availability and flood amounts, especially in 13 times of drought or global warming. We need realistic 14 projections based on actual river flows in times of 15 drought and flood, which include potential savings from 16 conservation and water for the needs of nature.</p> <p>17 Thank you.</p> <p>18 HEARING OFFICER BODOVITZ: Thank you, 19 Ms. Olsen, for reading Mr. Caghl's statement. 20 Janet Kister, Ed Kimura, Eric Larson.</p> <p>21 MS. KISTER: I have to raise the mike.</p> <p>22 Good evening. My name is Janet Kister. My 23 husband and I own Sunlet Nursery, a 28-acre plant 24 nursery in Fallbrook. I'm also on the board of the 25 San Diego Farm Bureau.</p>	<p style="text-align: right;">Page 19</p> <p>1 question. This can be done without damaging any one of 2 the competing interests for the Bay-Delta water. 3 Anything short of a balanced resolution that increases 4 supply will have to be viewed as a failure for my 5 nursery and for the agricultural community in general.</p> <p>6 Thank you.</p> <p>7 HEARING OFFICER BODOVITZ: Thank you, 8 Ms. Kister.</p> <p>9 Ed Kimura, Eric Larson, Dick Reynolds.</p> <p>10 MR. KIMURA: Thank you. My name is 11 Ed Kimura. I'm here with the San Diego chapter of the 12 Sierra Club.</p> <p>13 What I would like to do is address the comments 14 on the implementation program that is starting right 15 now, because CALFED is working on an adaptive 16 management. We would like to make some comments about 17 water quality, water efficiency, watershed management, 18 and the ecosystem restoration. All of these four 19 elements are highly interrelated, and there really 20 needs to be action to assure the sustainability of the 21 Bay-Delta ecosystem. Consequently, we feel that CALFED 22 should develop strong programs to address these issues 23 to give them the highest priorities during the first 24 stage of the implementation program.</p> <p>25 Now, in the interest of short time, I want to</p>
<p style="text-align: right;">Page 18</p> <p>1 We're very proud to be a part of the expanding 2 ornamental nursery industry that makes up over 3 60 percent of San Diego County's agriculture 4 production. As with any agriculture enterprise, our 5 success or failure is based on how well we manage the 6 resources needed to produce our crops and to minimize 7 our risks. We cannot, however, manage the weather. 8 Nor can we, as individuals, manage the quality or 9 quantity of water that is made available to us. As we 10 all know, the weather issue cannot be resolved. But 11 the water issue could be.</p> <p>12 What we need from our water supply is 13 reliability. And what we need from the CALFED process 14 is an assurance that the water supplies we have come to 15 depend on will be there for us in the future. We are 16 only one of thousands of farms in San Diego County 17 dependent upon a reliable water supply. Unfortunately, 18 I believe the documents coming from CALFED are long on 19 platitudes but short on assurances. The CALFED process 20 must first ensure that water deliveries from the 21 Bay-Delta continue at the historical levels and then go 22 beyond that, and produce reasonable increases in the 23 reliable water supply.</p> <p>24 In short, I'm asking that the CALFED process 25 become aggressive and resolve the water supply</p>	<p style="text-align: right;">Page 20</p> <p>1 read just a couple of these things. First of all, it's 2 important that we achieve high water quality in the 3 Delta, but also it's important to have this high 4 quality here in San Diego, for several reasons. First, 5 it means, you know, high quality drinking water. 6 Second, because of its relatively low salt content, 7 whether we blend that with the Colorado River, and 8 that's the largest source of our imported water, this 9 means that it can reduce the net salt content. That 10 has several consequences. It also -- excuse me. It 11 reduces -- helps reduce our plumbing repair costs. 12 When the salt content goes up, the plumbing tends to 13 deteriorate much more quickly. And the other part of 14 it is, is that because we have this recycling program, 15 it's really important to keep the solids, total solids, 16 in the water down so that after you reclaim it, it's 17 still usable water.</p> <p>18 Now, CALFED also should give more than is 19 suggested in the plans to increase water efficiency. 20 There's a lot more we can do to increase water 21 conservation in both the agricultural and in the urban 22 sectors throughout the state. And there should be, 23 really, incentives to encourage water conservation, and 24 then efforts should be made to increase the number of 25 communities that have to certify the compliance with</p>

Page 21	Page 23
<p>1 the memorandum of understanding to implement the best 2 management practices conserving water. And then, 3 conversely, there should be disincentives for those 4 communities who do not comply. 5 Now, CALFED estimates that in year 2020, the 6 indoor residential use will be about 55 gallons per 7 capita. In 1998, here in San Diego, 100 8 randomly-selected homes were monitored for end-use 9 results. 10 HEARING OFFICER BODOVITZ: Mr. Kimura, I'm 11 sorry, the three minutes go quickly. 12 MR. KIMURA: All right. Thank you. 13 HEARING OFFICER BODOVITZ: Eric Larson, 14 Dick Reynolds, Nicole Cretelle for Assembly Member 15 Charlene Zettel. 16 MR. LARSON: Good evening. My name is 17 Eric Larson. I'm the executive director of the 18 San Diego County Farm Bureau. 19 We welcome you to San Diego County, which is 20 home of the nation's tenth largest farm economy when 21 compared against all counties in the United States. 22 Farms in San Diego County are unique in two 23 ways. First, our farms are very small, with the 24 majority being ten acres or less; and second, we pay 25 the highest price for irrigation water of any farmers.</p>	<p>1 environment, and create an irreplaceable portion of 2 San Diego County's personality. The measure of success 3 of the CALFED process will be the impact it has on the 4 certainty of supply and its cost effectiveness. If 5 that cost, either directly or indirectly, is too high, 6 farmers in San Diego County will be the victims of 7 significant, redirected impacts, something that CALFED 8 promised as -- the CALFED process has promised would 9 never occur. 10 Thank you very much. 11 HEARING OFFICER BODOVITZ: Thank you, 12 Mr. Larson. 13 Dick Reynolds, Nicole Cretelle and Jenna Olsen, 14 speaking for herself. 15 MR. REYNOLDS: Good evening. I'm 16 Dick Reynolds. I'm the general manager of Sweetwater 17 Authority, a water retailer in the South Bay area of 18 San Diego County. 19 We are a water agency in the South Bay that has 20 spent millions of dollars over the years on developing 21 local water supplies. We have two surface water 22 storage reservoirs; we have potable wells; we have 23 brackish groundwater wells; a demineralization 24 facility; and we're looking at other resources. We're 25 trying to maximize our local supplies and not be a</p>
Page 22	Page 24
<p>1 Our farmers have been successful because they have 2 learned to get along with less water because of the 3 high price. During the past decade, agricultural water 4 consumption in this county has been reduced by over 5 40 percent, while farm production has actually 6 doubled. 7 But conservation can only go so far. If water 8 gets any more expensive, the next means of conservation 9 here will be the purchase of chain saws and the 10 decimation of productive growth. The draft EIR is 11 woefully short in discussing potential impacts on rate 12 payers. But rate impacts will be great if the 13 Bay-Delta solution fails to protect or produce 14 additional water supplies. If water wholesalers are 15 forced to seek out replacement supplies, they will be 16 expensive when new investment has to be made in 17 conveyance, if low quality water must be treated to 18 acceptable standards, and if bidding wars erupt on the 19 remaining supplies. In any of those cases, the cost of 20 water will rise and San Diego County's agricultural 21 economy will be put at risk. 22 The concern for adverse impacts on local 23 agriculture should also be a concern to the local 24 residents. Our farms provide a significant buffer 25 against sprawl, add thousands of trees to the</p>	<p>1 drain on the Delta. 2 Conservation practices by our customers have 3 resulted in an average water use of 113 gallons per 4 person per day, which I believe is one of the lowest in 5 the state. We use our reservoirs to benefit ourselves 6 and the region by storing water off-peak and staying 7 off the aqueducts when we don't have local water. 8 We would like to see some of the Bay-Delta money 9 used in watershed management projects in San Diego 10 County and in the south. Recently, we spent 11 \$14 million on a brackish groundwater demineralization 12 project that's just starting up. It's going to be on 13 line within the next month. This further reduces our 14 take from imported water sources. The CALFED Bay-Delta 15 plans seem to give no promise of new water for Southern 16 California. I would caution you that, in our opinion, 17 that is a mistake. Spending all these financial 18 resources on Bay -- on the Bay-Delta without storage or 19 conveyance will not sell in the south, where people 20 have the ability to pay for both the environmental and 21 water projects, are located. We need to be in this 22 together. People in the north and the south have to 23 have their needs fulfilled. It's not about the north 24 against the south or ag versus urban. It's about 25 working together and respecting each other's needs.</p>

Page 25

1 I strongly recommend the addition of firm water
2 supply and conveyance projects to your final plan.

3 Thank you.

4 HEARING OFFICER BODOVITZ: Thank you,
5 Mr. Reynolds.

6 Nicole Cretelle, Jenna Olsen, Charley Wolk.

7 MS. CRETELLE: Good evening. My name is
8 Nicole Cretelle. I'm here on behalf of Assembly Member
9 Charlene Zettel. She represents the eastern half of
10 San Diego County, which includes the cities of Santee
11 and Poway, portions of the City of Escondido, and
12 San Diego. I'm going to read a letter from her.

13 Dear CALFED. Thank you for the opportunity to
14 comment on CALFED's recently-released revised Phase II
15 report during the public hearing process. It is
16 critical that a true collaborative effort continue
17 among the many agencies and levels of government that
18 are involved in this issue. As always, I continue to
19 support the spirit and intent of the CALFED process, as
20 well as the participation and efforts of our local
21 agencies, to ensure a safe and reliable water supply
22 for San Diego County.

23 As the process continues to move forward, my
24 concern remains focused on the quality and the
25 reliability of the water we receive in Southern

Page 26

1 California. I am concerned that CALFED's EIS/EIR does
2 not directly address improvements in the water supply
3 and delivery available to California's urban and
4 agricultural areas. To ensure the continued economic
5 well-being of California, we must invest in water
6 storage as a safety measure to guard against a future
7 drought, and to guarantee supply.

8 As you know, water quality and reliability are
9 both critical to the economic development and welfare
10 of San Diego County, Southern California, and to our
11 great state. I encourage CALFED to consider the
12 pressing need for California to develop solutions now,
13 before the next drought, and its devastating effects on
14 our economy.

15 I am pleased to see that many parties have been
16 willing to come together to develop a solution that
17 will ensure the environmental health of the Bay-Delta,
18 and the livelihood of California for generations to
19 come. Yet I am concerned that Southern California will
20 be asked to contribute more than our fair share of the
21 cost of implementing the CALFED solution.

22 I look forward to the final stage of the
23 Bay-Delta project and its implementation in an
24 equitable, timely and effective manner over the coming
25 years. Sincerely, Charlene Zettel.

Page 27

1 HEARING OFFICER BODOVITZ: Thank you, Ms
2 Cretelle.

3 Jenna Olsen, Charley Wolk, Eric Anderson.

4 MS. OLSEN: Hi. I'm Jenna Olsen with the
5 Environmental Water Caucus, which is a coalition of
6 environmental, fishing and community groups across the
7 the state.

8 California will be back where it started five
9 years ago if the CALFED Environmental Impact Report and
10 Statement is not significantly changed. We do have a
11 successful model for how to reduce water demand and
12 lower bills through a precedent community-based water
13 conservation program in conjunction with recycling and
14 other projects. The City of Los Angeles is using no
15 more water today than it did in the 1970s, even though
16 its population has grown by more than a million
17 people.

18 Unfortunately, CALFED has no way to turn that
19 success into water that will restore the Delta.
20 Programs in the Los Angeles area have significantly and
21 permanently reduced the amount of water used each day.
22 This is a new tool that California can use.

23 The Environmental Water Caucus is very cautious
24 about surface storage because this is the most damaging
25 to the environment. It is much more expensive. The

Page 28

1 best dam sites have already been taken, and the best
2 new supply of water is through conservation and more
3 intelligent and smarter use of the 1,400 large dams
4 that already exist in the state.

5 Among the changes that must be made in the
6 CALFED EIR/EIS, there must be firm guarantees of more
7 fresh-water flows through the Delta to improve water
8 quality for people and wildlife. The state must cap
9 and eventually reduce diversions from the Bay-Delta.
10 CALFED must require investments in urban and
11 agricultural water conservation, recycling,
12 appropriately regulated transfers, groundwater
13 management, pollution prevention, and drinking water
14 treatment. There must be no commitment to construct
15 new or expanded dams, canals or reservoirs during
16 CALFED's Stage I, the first seven years of the program,
17 in order to give the alternative solutions a chance for
18 success. There must be no taxpayer subsidies for new
19 dams, reservoirs or canals. And CALFED must follow
20 through on its ambitious plan to restore the health of
21 our ecosystem and guarantee the implementation of its
22 plan.

23 Thank you.

24 HEARING OFFICER BODOVITZ: Thank you,
25 Ms. Olsen.

Page 25 - Page 28

C - 0 2 2 1 6 4

C-022164

<p style="text-align: right;">Page 29</p> <p>1 Charley Wolk, Eric Anderson, Eric Bowlby. 2 MR. WOLK: My name is Charley Wolk. I farm 3 here in San Diego County and have been doing it for 4 over 20 years. I've also been intimately involved in 5 the water industry, both as a director on a local water 6 agency and, currently, I serve on the regional board. 7 At this time, I'm also chairman of the California 8 Avocado Commission. 9 My comment is very brief. To look at the CALFED 10 process and see it go forward from where we are now, 11 with everything that's been invested in the studies and 12 the analysis, and to eliminate consideration of 13 storage, to me, is ludicrous. The engineering and the 14 science support the fact that storage has to be in the 15 project, and has to be in there very strongly. And 16 it's unfortunate, when I look back over the history of 17 water in the State of California that, again, it 18 appears very, very obvious to many that the political 19 pressure is overriding the engineering and the 20 science. We have the ability, both technically, the 21 engineering, to create new storage for the future of 22 California to take us beyond into the new century 23 without damage to the environment, and minimizing the 24 impacts on the environment. We can do it. We've 25 proved it.</p>	<p style="text-align: right;">Page 31</p> <p>1 in the nation. We appreciate this opportunity to 2 comment on the progress of the CALFED Bay-Delta 3 program. 4 Like all members of the state's ag industry, 5 those of us in San Diego County are well aware that our 6 water supply system is in crisis. With great hope, we 7 have watched the CALFED process begin and promise to 8 make improvements in water supply, water quality, and 9 the Delta environment. Now we see a phased, unbalanced 10 approach, which makes no commitment to feasible 11 solutions. What this plan lacks is balance. There is 12 enough water within our state to service all the 13 competing interests equally. The draft proposal tells 14 farmers they should expect less water. If less water 15 is going to farms, where is it going? As written, this 16 plan pits fish against people, as was dramatically seen 17 during the summer's pump shutdowns. This is not a good 18 plan at all. 19 Currently, nearly half of the state's developed 20 water must -- supply goes to environmental uses. 21 That's balance. That is fine, but at some point, a 22 total balance must be struck. Farmers should not be 23 the victims of the CALFED process, nor should cities, 24 nor the environment. CALFED must make a commitment to 25 enhance supplies, create new storage, and when that</p>
<p style="text-align: right;">Page 30</p> <p>1 There are projects that show very clearly that 2 we have the ability now to do that. And in my 3 judgment, for this project to go forward without fair 4 consideration of storage will not stand the test 5 against the sequel process. And it would be terribly 6 unfortunate for this thing to go farther down the road, 7 make progress, and then have someone challenge it 8 because it didn't comply with sequel. 9 So I urge and encourage the process to reexamine 10 considerations for storage to be considered in the 11 light and in the perspective of environmental impacts 12 of water quality and all the other things that are 13 very, very obvious, and I think that the process has 14 done a good job with that. But you can't go forward 15 without considering storage. I beg you not to let that 16 happen. 17 Thank you. 18 HEARING OFFICER BODOVITZ: Thank you, 19 Mr. Wolk. 20 Eric Anderson, Eric Bowlby, Jim Peugh, if I'm 21 pronouncing that correct. I hope I am. 22 MR. ANDERSON: Good evening. I'm 23 Eric Anderson, a family nurseryman from Elfin Forest 24 and president of the San Diego Flower and Plant 25 Association. We are the number one horticulture county</p>	<p style="text-align: right;">Page 32</p> <p>1 happens, there will be balance and everyone will win. 2 I will close by quoting back to you your CALFED 3 mission statement. Solutions will focus on solving 4 problems in all problem areas. Improvement of some 5 problems will not be made without corresponding 6 improvements for other problems. The goal will only be 7 met through a balanced solution. This remains a -- 8 there remains a whole lot of work to do if this plan is 9 to be seen as balanced. 10 Thank you. 11 HEARING OFFICER BODOVITZ: Thank you, 12 Mr. Anderson. 13 Eric Bowlby, Jim Peugh and Bill Wright, a board 14 member of the Metropolitan Water District. Mr. Bowlby. 15 MR. BOWLBY: I'm Eric Bowlby, San Diego 16 chapter, Sierra Club. 17 Our region should work to build 18 self-sufficiency, and we should invest in and study 19 water conservation methods and efficiency designs and 20 water reclamation technology; perhaps research in a 21 more distributed system with smaller, more localized 22 reclamation facilities. We need to build distribution 23 facilities here in our city to deliver water that we 24 are currently purifying for irrigation purposes. To 25 become more self-sufficient is to build sustainability</p>

Page 33

Page 35

1 of water resources in our region. It would keep more
2 of those billions of dollars that we currently export
3 in our regional economy. And, of course, it would take
4 less water from other ecosystems.

5 We could do a whole lot more to protect and
6 restore our local water supplies. One thing that we
7 could do in our land-use decisions is prevent sprawl.
8 To protect our watersheds, we need to direct our urban
9 developments toward existing urban areas and stop the
10 pavement and stretching of roads and freeways out
11 across our open areas and back-country areas.

12 We need to protect our remaining natural
13 wetlands. Our wetlands are tremendous resources. They
14 contain half of our threatened and endangered species
15 and, yet, they make up less than one-half of one
16 percent of our land mass. They are critical for flood
17 and erosion control, but they are very, very essential
18 for water quality. They, in their buffers, provide a
19 way to absorb urban and agricultural runoff and break
20 down the nutrients and pathogens found there, and
21 protect water bodies, streams, and our coastal waters
22 here in San Diego.

23 I believe that what Mr. Reynolds said about
24 working together and sharing uses of our resources is
25 going to be important. Working toward protected river

1 less expensive, more environmentally friendly, and in
2 the long run, a lot more reliable.
3 Some of the big-ticket items that seem to be
4 sneaking back into CALFED, as time goes on, are surface
5 storage and the peripheral canal, or the little piece
6 of the peripheral canal. People are sort of
7 pretending, like, surface storage provides water. It
8 doesn't provide water; it uses water. Evaporation is a
9 huge way of wasting water, and the more surface storage
10 we're going to put in, the more water that's not going
11 to be available for wildlife use and it's not going to
12 be available for cities; it's not going to be available
13 for agricultural use. We're sort of fooling ourselves
14 that there's an element of security that we can buy,
15 and we simply can't. We have to realize that the more
16 that we stress our water resources, the less reliable
17 they're going to be. And there is no -- there's no
18 magic around that.

19 There are other -- there are tools that CALFED
20 can use that are unambiguously useful. Conservation,
21 you know, we've proven that we can do it, but we really
22 haven't invested the kind of money that it takes to do
23 it really well, for agriculture, for urban use and for
24 everything else. And pollution prevention. You know,
25 you're considering that an option as something you

Page 34

Page 36

1 corridors for habitat is important, and if there's
2 sufficient buffers, the flood-plain areas have the best
3 soils, and shared uses with agriculture is probably an
4 appropriate use, giving enough buffers to prevent
5 surface runoffs from polluting the streams. But we
6 have to stop commercial and residential development in
7 our wetlands and in our flood plain areas. It's simply
8 an inappropriate use there.

9 Thank you.

10 HEARING OFFICER BODOVITZ: Thank you,
11 Mr. Bowlby.

12 May I remind any of you who came in late, if you
13 wish to speak, it's necessary to fill out one of these
14 yellow cards on the table outside.

15 Jim Peugh, Bill Wright. I hope I'm reading this
16 next one right. Mary Ellen Matheis.

17 MR. PEUGH: I am Jim Peugh -- you did
18 pronounce it right -- with the San Diego Audubon
19 Society.

20 We're really concerned. We're afraid that the
21 public is about to launch into making some really big,
22 poorly thought-out investments in infrastructure.
23 They're going to basically subsidize the destruction of
24 wildlife. That's especially grievous to us because we
25 think that there are a lot better alternatives that are

1 might use. That's a significant way of improving water
2 quality, and by improving water quality you can extract
3 more successfully.

4 Watershed improvement; it's good to see you're
5 doing that, but I think that needs to be a larger
6 element. Groundwater management, San Diego is really
7 horrible. I don't know if you've been reading the
8 newspaper here. Somebody -- somebody put in a golf
9 course, there were houses around it. All the houses'
10 pumps went dry. Everybody was surprised that nobody
11 was managing that element of groundwater at all, and it
12 was just -- just happened. We don't do well here.
13 There needs to be a lot more investment here and
14 probably throughout the state.

15 Ecosystem restoration is great. It does a lot
16 of the things that you want to do. It helps to absorb
17 flood water, it helps to clean water, and it supports
18 wildlife.

19 We're concerned about all of the subsidies that
20 go into the water supply. One way of achieving water
21 conservation is to pay the real price of water, and all
22 the subsidies that go into it make everyone think that
23 water is free, and that affects the way we use water.
24 Water is the most precious and the most valuable
25 commodity there is on earth, and that needs to be

Page 37

1 reflected in the way that we price it. We can't --
2 we're not going to conserve water, we're not going to
3 do the rest of this stuff well until we start valuing
4 water for what it's really worth, both for wildlife and
5 for people.
6 Thank you.
7 HEARING OFFICER BODOVITZ: Thank you,
8 Mr. Peugh.
9 Bill Wright, Mary Ellen Matheis, Harold Ball of
10 the San Diego County Water Authority.
11 MR. WRIGHT: Good evening. I represent
12 Torrance on the board of directors of the Metropolitan
13 Water District, and I would like to comment on how, if
14 Southern California is going to continue to support the
15 CALFED process, we must seek clear actions that will
16 implement goals of water supply and water quality
17 reliability. MWD and its member agencies have spent
18 approximately \$1 billion here in Southern California on
19 reclamation and conservation programs. We now conserve
20 and reclaim approximately 710,000 acre feet of water
21 per year. Just think. That's equivalent to the yearly
22 use of Los Angeles and San Francisco combined. We
23 estimate we will need to reclaim and conserve an
24 additional 862,000 acre feet after 2010. Our big
25 problem with continuing and expanding these reclamation

Page 38

1 programs, though, is salinity in the water. As you
2 probably know, our main source of water, the Colorado
3 River, has salinity up to 750 parts per million. This
4 means that each acre foot of water contains one ton --
5 one ton of salt. Urban use of the water adds 250 to
6 400 parts per million of salt, so you can immediately
7 see the problem with reusing this water. An example:
8 here in San Diego County, agriculture is a \$1 billion
9 business, and you would think that ag irrigation would
10 be an ideal use for reclaimed water. But when you use
11 this reclaimed water with high salinity and boron
12 levels and it's used to irrigate avocado trees, the
13 yield is cut up to
14 40 percent.
15 Our goal is to blend our imported water supplies
16 down to a concentration of 500 parts per million. To
17 do this, we need a reliable, low salinity supply from
18 the Bay-Delta. We're now in the process of
19 constructing the east side reservoir and the inland
20 feeder at \$1 billion each. The inland feeder will
21 allow us to bring this low salinity water from the
22 Bay-Delta to the new reservoir. There, we will be able
23 to blend these two main sources of water down to 500
24 parts per million. We can then ensure San Diego and
25 the other member agencies that they can continue their

Page 39

1 reclamation and conservation programs into the future.
2 In summary, I think that we in Southern
3 California have really stepped up to the plate. The
4 average use per person -- and I want to be sure you
5 catch this -- the average use per person in L.A. is
6 155 gallons per day; in Sacramento it is 271 gallons
7 per day. Hopefully, with dependable, quality water, we
8 can continue our reclamation work here in Southern
9 California.
10 Thank you very much.
11 HEARING OFFICER BODOVITZ: Thank you,
12 Mr. Wright.
13 Mary Ellen Matheis, Harold Ball, Adan Ortega.
14 MS. MATHEIS: It's Mary Aileen Matheis.
15 HEARING OFFICER BODOVITZ: I'm sorry.
16 MS. MATHEIS: Nice to be here tonight.
17 I'm a director of Irvine Ranch Water District in
18 Orange County, California. Irvine Ranch is a pioneer
19 in the use of recycled wastewater, and has gained
20 national recognition for its innovative water-use
21 efficiency programs.
22 We were initially encouraged when CALFED was
23 formed and undertook the task of bringing some
24 rationality to the state's water supply emanating from
25 the Delta. We believe that the goals of improved water

Page 40

1 quality, improved reliability, environmental
2 protection -- with a no-surprises policy -- and
3 ensuring no further losses of existing water supply,
4 were key to re-establishing water rationality.
5 We continue to be willing to support the plans
6 that accomplish these objectives. However, after
7 examining the proposed EIR/EIS, we have found that
8 these key items to providing this water rationality to
9 an important, vibrant, and growing urban area are
10 missing. Let me explain two points.
11 Californians demand -- and are willing to
12 pay -- for improved drinking water quality. But
13 instead of providing water quality improvements, the
14 EIR/EIS provides only an aim to reduce certain
15 contaminants. The CALFED program offers scant hope of
16 meeting ever tougher drinking water standards through
17 source-water protection. What is needed is a firm
18 commitment to achieve water quality that eases
19 compliance with current and future drinking water
20 regulations. This is a public health issue and should
21 not be subject to negotiation.
22 Instead of providing a reliable supply, the
23 document establishes reliability goals, mostly by
24 reallocation of existing water supplies. CALFED must
25 commit to a regulatory policy that eliminates

Page 41

1 uncertainties and ensures there will be no further
2 losses of water resulting from the state and federal
3 regulations. Urban Southern California must be assured
4 of a reliable dry-year supply from the State Water
5 Project by increasing the pumping capacity at Bank's
6 pumping plant to 10,300 cfs.

7 Urban Southern Californians have invested
8 millions and billions of dollars in conservation,
9 conjunctive-use and water recycling programs. They are
10 willing to invest more to improve their reliability and
11 take the pressure off the Delta. But we need a firm
12 commitment that the dollars invested by CALFED will not
13 only restore an ecological treasure, but will also
14 result in supplies that we can count on from the State
15 Water Project, additional dry-year yield from the
16 project, and supplies of a quality that will enable us
17 to meet the drinking water standards and ensure
18 financial feasible of our re-charge and re-use system.

19 Thank you.

20 HEARING OFFICER BODOVITZ: Thank you,
21 Ms. Matheis.

22 Harold Ball, Adan Ortega, Larry Gardner.

23 MR. BALL: Good evening. I'm Harold Ball,
24 vice-chairman of the San Diego County Water Authority,
25 the public agency that is responsible for providing a

Page 42

1 safe, reliable water supply to support San Diego
2 County's \$89 billion economy and quality of life.
3 I want to let you know that we, in San Diego,
4 use our existing water supplies as efficiently as we
5 find possible and can. We use 13 percent less water
6 today than we did a decade ago, even though our
7 population has increased by more than 10 percent since
8 1990. By 2015 our region expects to meet up to
9 20 percent of our water demand every year through local
10 recycling, groundwater development, and conservation

11 programs. Another 25 percent of our water will be
12 provided through our water transfer with the Imperial
13 Irrigation District, which involves conserved
14 agricultural water. This means that in 15 years,
15 almost half of our water supply will result from
16 conservation and local development projects.

17 With these points in mind, I must emphasize that
18 San Diego's bottom line concerning CALFED is this:
19 Consensus we need a reliable, affordable supply of
20 high-quality water from the Bay-Delta. In the short
21 term this must be the most familiar word to you. We
22 need assurances from CALFED that our State Water
23 Project supplies will not be reduced. Over the long
24 haul, CALFED's program must produce verifiable
25 increases in the reliable water supply available from

Page 43

1 the Bay-Delta. We need to know how CALFED will measure
2 its progress toward improving drinking water quality.
3 We must be assured that we will receive Bay-Delta water
4 of a quality sufficient to enable us to protect public
5 health, meet drinking water standards with feasible,
6 cost-effective technology, and expanded water recycling
7 programs.

8 We need to know how much CALFED will ask urban
9 water providers to pay for the Bay-Delta plan. CALFED
10 must show us the firm connection between the money it
11 asks us to pay and the benefits we will receive from
12 its program. Surely, this is reasonable.

13 Now, it will be embarrassing, sirs and ma'am --

14 HEARING OFFICER BODOVITZ: Mr. Ball --

15 MR. BALL: -- and I'll finish then.

16 My wife is here, and she'll be embarrassed when
17 I say this, but she likes to be reassured of my love.
18 And I would tell you this. We've got to be assured of
19 your affection and your caring before we're going to
20 vote for any plan.

21 Thank you very much.

22 HEARING OFFICER BODOVITZ: Mr. Ball, you're
23 the first speaker to have asked for affection, and I
24 think you've received it.

25 Adan Ortega, Larry Gardner, Kenny Witt.

Page 44

1 MR. ORTEGA: All righty. Mr. Hearing
2 Officer, my name is Adan Ortega. I'm with the
3 Metropolitan Water District of Southern California.
4 And I'm here to tell you today that Southern
5 California's continued support for the CALFED process
6 will depend upon whether actions are implemented in the
7 near term, which will enhance source-water quality and
8 watery liability. The fact of the matter is, according
9 to a Los Angeles area Chamber of Commerce study,
10 Southern California has already invested over
11 \$6 billion in its own projects to assure greater
12 reliability and conservation. We're using less water
13 today than we did in 1975, even though we've grown by
14 over five million people, and yet all these investments
15 depend upon that good water quality and that good
16 reliability that we must get from the Bay-Delta.

17 Currently, the program described in the EIR/EIS
18 is headed in the wrong direction. The benefits for
19 users have not been forthcoming. We feel that CALFED
20 has fallen to become a tyranny of consensus with, time
21 and time again, key decisions critical to producing
22 balanced outcomes being delayed because of objections
23 of one interest group or another. At the same time,
24 we're hostage to regulatory decisions with serious
25 adverse impacts on supply reliability and quality,

Page 41 - Page 44

Page 45

1 because they are not subject to the same rules of
2 consensus. We had that Bay-Delta incident with the
3 Delta Smelt this summer, which was quite an
4 eye-opener.
5 We feel that near-term benchmarks for
6 source-water quality improvement in the Delta, with
7 specific actions to accomplish these benchmarks, must
8 be established; that the South Delta improvement
9 program to increase wet period state water pumping
10 capacity to 10,300 cfs must be established; that an
11 environmental water account consistent with water
12 supply and water-quality enhancement relative to the
13 accord, as well as environmental improvement, must be
14 instituted.
15 The bottom line is that to protect drinking
16 water quality over the long term, CALFED must commit to
17 a well-defined decision-making process regarding Delta
18 conveyance. This decision should assure that all
19 water-quality goals are met at the lowest possible
20 costs, whether through improvements and conveyance or
21 any other means.
22 We have the reality that for every hundred
23 milligrams of salinity of water that we get from our
24 sources that it costs us about \$100 million to treat.
25 So we hope that you will take this input seriously,

Page 46

1 that Southern California is prepared to live in a world
2 without CALFED, and that we hope that the solutions
3 will be forthcoming in a way that benefits all of
4 California.
5 Thank you very much.
6 HEARING OFFICER BODOVITZ: Thank you,
7 Mr. Ortega.
8 Next will be Larry Gardner, followed by
9 Kenny Witt. We've been at this for the better part of
10 an hour, and this is very intense, and after Mr. Witt,
11 we'll take a short break so our court reporter can get
12 some feeling back in her fingers. And I'll explain the
13 break in a minute.
14 But Mr. Gardner, followed by Kenny Witt.
15 MR. GARDNER: Thank you very much.
16 My name is Larry Gardner. I'm the director of
17 the City of San Diego's water department. I'm very
18 pleased to have the opportunity to speak to this group
19 tonight.
20 I've been responsible for the City of
21 San Diego's water department for a short two years. In
22 that very brief period of time, I've come to the table
23 with absolutely no baggage and no old history. I've
24 come into rooms where people have sat down and talked
25 about opportunities to resolve California's water

Page 47

1 problems, including the California Bay-Delta issue,
2 with a very open mind and with a true spirit of wanting
3 to try to accomplish those things that are necessary
4 for the State of California and for our future
5 generations to be able to survive.
6 The answer to the problem is really a simple
7 one. It has been made to be an extremely complex one,
8 but it's a simple one. It's a process of education,
9 and CALFED has an opportunity to not only educate the
10 people of the State of California, but to deliver to
11 the people of the State of California. We, in
12 San Diego, are one of those urban areas that sometimes
13 is portrayed as the enemy. We, in fact, are in this
14 together with our ag brothers and sisters, and with our
15 brothers and sisters in the environmental community.
16 There is, in fact, an opportunity for everyone
17 to be successful. There have been untold millions of
18 dollars spent by the City of San Diego in its efforts
19 to reclaim water, to utilize reclaimed water for
20 industry, and to do a number of other innovative and
21 creative things to reduce our dependence upon imported
22 water products. But the bottom line is, is that we
23 will never be completely independent. There is a need
24 throughout the State of California for us to be able to
25 address the significant issues before us. CALFED has

Page 48

1 the opportunity now, not to vascillate, not to float,
2 but to speak to the issues. We need the guarantees
3 with regard to conveyance, we need guarantees in your
4 final report with regard to increased reliability and
5 supply for Southern California, as well as the rest of
6 the state. We need to ensure that both our urban and
7 our agricultural customers have a continued supply of
8 water so that we can survive across the board here in
9 the State of California. We can't do it individually,
10 we must do this together, and CALFED has the
11 opportunity to address and to resolve this issue; that
12 is, the Bay-Delta problem, that does not need to be a
13 problem. Look at storage, look at conveyance, look at
14 water quality. Make sure they're a part of your final
15 report and you will have addressed the needs of the
16 people of the State of California. Thank you.
17 HEARING OFFICER BODOVITZ: Thank you,
18 Mr. Gardner.
19 Kenny Witt, Municipal Water District Of
20 Orange County.
21 MR. WITT: Good evening. My name is
22 Ken Witt and I'm the president of the Municipal Water
23 District of Orange County and a member agency -- one of
24 the 27 member agencies of the Metropolitan Water
25 District of Southern California.

Page 49

Page 51

1 I'm speaking tonight not only on behalf of my
2 district but also the Water Advisory Committee of
3 Orange County, which represents the interests of all of
4 the public and private water providers in the county.
5 The Delta is a critical source of drinking water
6 for two-thirds of all Californians. As such, we have
7 approached the CALFED process based on the promise by
8 CALFED, that it would, number one, work to improve
9 source water quality to allow water suppliers to meet
10 state and federal standards; that it would ensure a
11 reliable water supply; and that it would do all of this
12 in an environmentally responsible manner that would,
13 through a no-surprises regulatory policy, eliminate the
14 current regulatory-induced uncertainties that ensure no
15 further losses of water supply compared with current
16 available supplies.
17 We believe this is the appropriate course for
18 CALFED, and that CALFED is trying to do this.
19 Nevertheless, the programmatic CALFED Environmental
20 Impact Statement/Environmental Impact Report offers
21 nothing more than paper promises in lieu of guaranteed
22 accomplishments.
23 We find this extremely disappointing and believe
24 that CALFED must correct this in the final EIR/EIS and
25 through the Record of Decision.

1 Number two, we need a commitment that CALFED
2 will deliver water quality that meets 150 milligrams
3 per liter total dissolved solids in order to enhance
4 recycling in Southern California, and to promote and
5 expand existing conjunctive-use programs.
6 Number three, we need a commitment to establish
7 a water quality account, including state and federal
8 funding sources, to implement water quality improvement
9 projects for salinity management and public health
10 requirements.
11 HEARING OFFICER BODOVITZ: I'm sorry, the
12 three minutes are gone.
13 MR. WITT: Hey, okay. Thank you.
14 HEARING OFFICER BODOVITZ: Thank you, sir.
15 When we resume, the first speaker will be
16 Steve Zapoticzny.
17 MR. RITCHIE: Zapoticzny.
18 HEARING OFFICER BODOVITZ: Thank you.
19 Ted Haring and Michael Cox.
20 Let's take a ten-minute break. We'll resume at
21 8:10 sharp.
22 (Recess was held.)
23 HEARING OFFICER BODOVITZ: As we now
24 continue our hearing, the first three speakers will be
25 Steve Zapoticzny, Ted Haring, Michael Cox. Okay?

Page 50

Page 52

1 We in Orange County have undertaken, and will
2 continue to implement, large-scale water recycling
3 projects and groundwater conjunctive-use programs. We
4 are working to make water-use efficiency a real reality
5 for all of our cities, water districts and individual
6 citizens and businesses. To make these projects work,
7 however, we must be able to count on our current level
8 of supply from the Delta and improvements of its
9 quality.
10 The state and federal agencies that executed the
11 Framework Agreement agreed that the alternative
12 solutions will address water quality and effective
13 planning and operation of water export systems, in
14 addition to protections of the Bay-Delta estuary and
15 maintenance of the Delta levees and channels.
16 Three final comments. The water quality
17 requirements of Orange County must be ensured. Number
18 one, we need commitment that CALFED will ensure the
19 ability of local water providers to protect public
20 health by meeting anticipated, more stringent,
21 regulations on disinfection by-products and pathogens,
22 either through water-quality improvements in the Delta
23 water supplies, or through a cost-effective combination
24 of alternate source waters, source improvement, and
25 treatment facilities.

1 MR. ZAPOTICZNY: Okay, thank you. I'm
2 Steve Zapoticzny. I'm representing the Southern
3 California Water Committee and also Monsanto Company.
4 I think as one earlier speaker said, showing the
5 film sort of softened him up, I think Steve Ritchie was
6 just doing that to me. I think most of you know this
7 but let me repeat it. The Southern California Water
8 Committee represents all the counties of Southern
9 California, from counties, cities, ag, businesses,
10 water agencies, and individuals. So we believe we have
11 a very good group -- various groups of individuals,
12 over 400 members, as a matter of fact. And this
13 diversity has not prevented us from consistently
14 supporting a balanced and comprehensive CALFED
15 Bay-Delta solution. We've consistently conveyed that
16 message. And we felt very good about the process
17 through last December. We thought we were almost
18 there.
19 And we've become really gravely concerned since
20 that time. We think that there's been slippage. We
21 think that good science and tough decisions seem to be
22 being put aside. Again, in speaking to Steve about
23 this, I'm ready to be convinced otherwise, but reading
24 the implement -- implementation plan and the summary,
25 we see some slippage there, and I think a number of

Page 53	Page 55
<p>1 speakers have commented on some of these things 2 tonight, and I just want to reiterate those. 3 Before we finalize the programmatic EIR/EIS and 4 the Record of Decision, we think there's essential 5 elements that need to be included in there. One of 6 those, which actually really wasn't mentioned that 7 much, was dual conveyance. We felt we've compromised 8 on this decision to put it off, try something else. As 9 a business person, we don't like to spend money when we 10 really don't think we have to, but we want to see it in 11 there in this Phase I. We want to see it as part of a 12 future alternative. We don't think there's enough meat 13 in there right now that really guarantees that, and 14 we're concerned about that. We're concerned that we 15 may have to spend an exorbitant amount of time trying 16 to get that approved, if and when the day comes that 17 says we may need something like that. 18 Water quality and salinity. There's a number of 19 studies on water quality, monitoring, and testing but, 20 quite frankly, we don't see targets for those. We 21 think that should be in there. 22 Programmatic findings sufficient to move forward 23 with surface storage, there's been a number of 24 discussions on that. We feel surface storage is a 25 win-win for both the environment and for people. We</p>	<p>1 square miles of western Riverside County, just up the 2 road here on the 15. And we depend on water from 3 Northern California and the Colorado River for about 4 three-quarters of the water we provide to about 420,000 5 people. We are among the statewide leaders in 6 production and marketing of high-quality recycled 7 water, which reduces demand for imported water. Our 8 concerns, therefore, relate to both water supply and 9 water quality. 10 Regulation of drinking water becomes more 11 demanding every year, and without adequate supplies of 12 high-quality Northern California water, purveyors in 13 this region face a nearly impossible task of 14 economically meeting these ever more stringent 15 standards. 16 A quality issue with equally profound 17 ramifications relates to recycled water. Without 18 appropriate attention to the quality of Delta water, we 19 won't have enough high-quality recycled water to meet 20 regulatory requirements and restrictions. 21 In terms of water supply, it now appears the 22 CALFED process could result in huge further shifts away 23 from human needs instead of helping us recover a 24 million acre feed of previous reallocations. We cannot 25 live with that. Because of the ever-changing state and</p>
Page 54	Page 56
<p>1 also feel that, while we're doing all these, we 2 shouldn't interrupt our water supply to Southern 3 California, and we should make sure that the -- there's 4 early implementation during Stage I in the South 5 Delta. We also feel that water supply should be 6 increased during the first few years by at least 7 200,000 acre feet. Prime example is what happened in 8 June with the Delta Smelt. I mean, there's -- we don't 9 want any more surprises. 10 Again, we feel a balanced solution will be a 11 win-win for all Southern Californians. We've been 12 involved with coalitions with other northern businesses 13 and other northern groups, and we actually were all 14 consistent. It needs to be balanced. That's what we 15 just want you to do. 16 Thank you. 17 HEARING OFFICER BODOVITZ: Thank you, sir. 18 Ted Haring, Michael Cox, Bill Pole, if I'm 19 reading it right. 20 MR. HARING: Good evening. My name is 21 Ted Haring, and I'm here on behalf of Eastern Municipal 22 Water District. We're a member agency of Metropolitan 23 now for 48 years. 24 Without Metropolitan this area would be vastly 25 different than what it is today. Our agency serves 555</p>	<p>1 federal regulations, our region must have quantifiable 2 assurances that there will be no further loss of 3 water. We must have further assurances that a clear 4 decision-making process is in place, and have a 5 reliable dry-year supply from the State Water Project. 6 In wet years we need full State Water Project 7 entitlement to supplement and enhance local storage and 8 conservation programs. 9 Water storage is crucial. In arguments that 10 storage discourages conservation, in our opinion, make 11 no sense. CALFED must facilitate the proper mix of 12 surface and groundwater storage to meet the economic 13 and the environmental needs of our state that can be 14 done. 15 In summary, the quality issue is critical. 16 CALFED's current approach offers little hope to water 17 agencies like ours that face the need to meet expected 18 stringent drinking water standards. CALFED must 19 provide the quality water we need in order to meet 20 current and future drinking water regulations, and to 21 help manage salinity levels in our service area. 22 Thank you. 23 HEARING OFFICER BODOVITZ: Thank you. 24 Michael Cox, Bill Pole, Gary Arant. 25 MR. COX: Good evening. My name is</p>

Page 57

1 Michael Cox. For 25 years I've been a farmer in
2 Imperial Valley. I grow cotton, sugar beets, tomatoes,
3 vegetable seeds, among other crops.
4 Because we receive a hundred percent of our
5 water from the Colorado River, you may wonder why we
6 have an interest in a successful resolution to the
7 issues affecting the Bay-Delta. California has a
8 finite supply of water. If any amount is taken away
9 from current users, a vacuum will be created and water
10 will have to flow from another source to satisfy the
11 unmet demand. Those of us that rely on the Colorado
12 River recognize that our supplies will be coveted and
13 solicited if the Bay-Delta solution fails to increase
14 supplies, or even reduces supplies.
15 One of your solution principles in the Program
16 Mission Statement is to pose no significant redirected
17 impact. We face environmental concerns of the Salton
18 Sea in our agricultural drains, the Alamo and New
19 Rivers, and the lower Colorado River Delta. Any
20 failure to come to an equitable solution to the
21 Bay-Delta issues and secure future water supplies will
22 directly affect every farmer in the state, including
23 the Imperial Valley.
24 Recently, the Imperial Irrigation District and
25 the San Diego County Water Authority reached an

Page 58

1 agreement to transfer water. That plan makes sense
2 because only conserved water will be transferred. But
3 conservation cannot create an unlimited supply of
4 water. Artificial demands created by a Bay-Delta
5 failure will reach far beyond the ability of farmers
6 who rely on the Colorado River to conserve.
7 Taking the farmland out of production to meet
8 water demands is an unacceptable solution. I believe
9 it is vital to provide the maximum amount of new
10 storage to allow a full protection of users' needs in
11 time of drought, flood, or special environmental
12 crises.
13 I'm very thankful for the planners of the
14 Colorado River system that allowed all that storage to
15 be developed. A principle reason for the success of
16 farming and development in the areas served by the
17 waters allocated from the Colorado River is the
18 tremendous amount of storage capacity. This has
19 allowed us to receive the highest reliability of water
20 supply, as well as providing superior flood control,
21 and even extra water for critical needs of users whose
22 other supplies are compromised, such as when L.A. was
23 not able to receive water due to the drought in
24 Northern California, they were able to take extra water
25 from the Colorado River.

Page 59

1 Of equal concern is California's rigid
2 obligation to live within its 4.4 million acre foot
3 allotment from the Colorado River. That number will
4 never be met if more and more people are forced to rely
5 on the Colorado should the CALFED process reduce --
6 result in reduced supplies. When that happens, farmers
7 may lose. When farmers lose, every consumer in the
8 State of California will lose also. The economy of the
9 Imperial Valley depends on the flow of water in every
10 part of the state.
11 Thank you.
12 HEARING OFFICER BODOVITZ: Thank you,
13 Mr. Cox.
14 Bill Pole, Gary Arant --
15 MR. RITCHIE: I believe it's Cole.
16 HEARING OFFICER BODOVITZ: Cole, I'm sorry.
17 It's hard to read.
18 Gary Arant, Herb Stickney. Thank you.
19 MR. COLE: Bill Cole, Imperial Board of
20 Supervisors. I'm speaking for the board, and also as a
21 member of the executive committee of the Southern
22 California Water Committee.
23 Sometimes people have asked me why have I gotten
24 involved with the Bay-Delta proceedings. I think that
25 the Colorado River and the Bay-Delta are going to go

Page 60

1 hand-in-hand; they're going to help each other solve
2 the problems in California. Without this, everyone's
3 going to lose. As Mr. Cox just alluded, we can only do
4 so much in our area in conservation, and it cannot
5 be -- we can't stand in our county and let ground be
6 taken out of production to be able to transfer the
7 water to urban or environmental areas. There must be
8 some alternate advances considered in the first phase
9 of the Bay-Delta hearing, and certainly on-stream and
10 off-stream storage. Because without that, we all
11 lose. We lose during the flood times. We lose during
12 the times when there's adequate water to be
13 transferred. And if people are willing and -- transfer
14 people are willing to sell and buy, well, that's fine.
15 But you cannot use this to be at the detriment of the
16 people who are going to be transferring the water,
17 which would be what would happen to us. And so we're
18 very cognizant of what follows right there.
19 And someone mentioned the cost of the lined
20 All-American canal. I agree with that person, not for
21 the same reason that they spoke about; that's expensive
22 water to be used some way in the environment, but
23 because we could probably do the same thing with the
24 wells. Fact is we're going to have something to say
25 about that. We know there's going to be a lawsuit

Page 57 - Page 60

Page 61

1 whether we line the canal or we put wells in it.
2 We've also got a problem with the Salton Sea.
3 That's a very important problem in our county. And the
4 more conservation we do, the less water there is in the
5 sea and then that creates a problem.

6 So I would just like to remind you that the
7 Bay-Delta, Colorado River have to go together to help
8 solve our state problem, but we must have better
9 quality, better assurances of supply, and increased
10 supply.

11 Thank you.

12 HEARING OFFICER BODOVITZ: Thank you,
13 Mr. Cole.

14 Gary Arant, Herb Stickney, Bernard Tembrook.

15 MR. ARANT: Thank you. My name is
16 Gary Arant. I'm here tonight representing the Valley
17 Center Municipal Water District. My agency is a member
18 agency of the Water Authority and a sub-agency of the
19 Metropolitan Water District. We're also signatories to
20 both the urban and agricultural water -- agency MOUs.

21 I was going to tell you about the ag business in
22 San Diego County but many of the farm community did
23 that. I'm proud to say that quite a few of them were
24 actually my customers. We're very proud of the
25 agricultural activity in our North County.

Page 62

1 My agency has followed the process all along.
2 We went from great optimism that there would be,
3 indeed, a balanced solution, to concern over what we
4 see as -- excuse the pun -- a watered-down preferred
5 alternative which really shies away from what we feel
6 to be real solutions to the problem.

7 But for your purposes tonight I have two points:
8 two observations and two representations. We've
9 observed that there are -- significant investments will
10 be made in levee restoration, ecosystem restoration,
11 and more stringent water use efficiency measures.
12 These are certainly actually prerequisites for future
13 actions.

14 However, the commitment to other equally
15 critical components, such as additional surface water
16 storage and dual-gate Delta conveyance, are
17 contingent. Ultimately, implementation of these
18 components hinge on geographically and politically
19 diverse interests reaching a consensus in future
20 assessments of how well water-quality goals and
21 water-use efficiency standards have been achieved.

22 A recommendation would be that the Record of
23 Decision contain very narrowly- and objectively-defined
24 triggering mechanisms for the approval and permitting
25 of additional surface storage and conveyance

Page 63

1 facilities.

2 Our second observation is that approval and
3 permitting of new surface storage projects will be
4 dependent on a statewide demonstration of efficient
5 water use. This key prerequisite for critical new
6 surface storage facilities will be imposed against the
7 backdrop of statewide disparities in the current levels
8 of water-use efficiency; also, disparities and
9 motivation to reach even higher levels of efficiency.

10 Our recommendation would be that the standard
11 for water-use efficiencies set forth in the Record of
12 Decision must recognize the regional variations in the
13 current levels of efficiency. These variations must be
14 factored into a baseline against which regional
15 progress toward higher levels of efficiency are
16 measured in the future.

17 Also, regions which have made significant
18 investments in water-use efficiency, such as Southern
19 California, should be credited for those efforts and
20 not be expected to achieve the same levels of overall
21 improvement as currently less water-efficient regions.

22 Thank you for your opportunity to comment, and
23 hopefully, this will help in formulating your Record of
24 Decision on this very important process. Thank you.

25 HEARING OFFICER BODOVITZ: Thank you.

Page 64

1 Herb Stickney, Bernard Tembrook, Clark Dawson.

2 MR. STICKNEY: Yes. My name is Herbert
3 Stickney and I represent myself. I'm not a member of
4 any organization today other than the Farm Bureau as a
5 paying member.

6 I come from a long history of working with food
7 companies and, indeed, the federal government during
8 World War II, purchasing food in the Mediterranean and
9 Morocco for our troops. I ran some plants for
10 Castle & Cook and Dole Corporation in Italy. I worked
11 for the Morris family food companies here in the United
12 States for many years.

13 And I have a worry. I have a worry that when I
14 see up to -- and I grant that there might be a little
15 argument as to whether this is going to be -- 243,000
16 acres of land taken out of the growth of food here,
17 products in California. Whatever it is, is more than
18 it should be. And I'm speaking now -- and this is my
19 caveat and this is why I'm here; the caveat is to the
20 group that's making the decisions; that they should not
21 just think of California, but they got to think of the
22 people of the United States of America and, indeed, as
23 Mr. DuBois happened to remind me as he was leaving, he
24 said, "Herb," he said, "they don't even think about
25 what happens during a war and how we are drawing on

Page 65

1 every bit of the food that we can raise, as we did in
2 1942 to '45, to feed other people in this world."
3 I'm asking you to take a hard look at what it
4 does to the food of the United States of America, the
5 supply of it, when you reduce this by 243,000 acres, to
6 get maybe 600,000 acre feed or 800,000 acre feed.

7 Whatever it is, you should think of what its impact is
8 on the United States of America, not just California.

9 I -- you may ask, well, why are you here
10 tonight. I'm a pretty old guy, and this three hours I
11 spent on this is a large chunk of my life. I have
12 kids. I have kids and I have grandkids. They aren't
13 even living -- most of them aren't even living here in
14 the State of California anymore; they're in other
15 states. And I'm saying, do think of the rest of the
16 United States of America. I hope that Bruce Babbitt
17 hears this, I hope that Lester Snow hears it, and I
18 think they really should give it a lot of thought.

19 Thank you.

20 HEARING OFFICER BODOVITZ: Thank you,
21 Mr. Stickney.

22 Bernard Tembrook, Clark Dawson, Don Parent.

23 MR. TEMBROOK: Good evening. My name is
24 Bernard Tembrook, and I would like to add a comment
25 just as a concerned resident of San Diego.

Page 66

1 I think that the CALFED program offers an
2 excellent opportunity to take a comprehensive look at
3 water management in California. And in particular, I
4 think it gives a very good opportunity to look at
5 our -- at the impact of our water use on the
6 environment. And as such, I'm very disappointed that
7 such little emphasis is put on water conservation.

8 In my mind, when water is in short supply, the
9 obvious first point to start is how much water do we
10 actually really need. And personally, I've lived in
11 some pretty wet parts of the world, like Holland and
12 England, before I came to California. And in those
13 countries, even though water falls out of the sky on a
14 daily basis, people are still very concerned about
15 drinking water. And basically, even there, water is
16 considered a finite resource that we should -- we
17 should treasure and not just waste on whatever we feel
18 it should be spent on.

19 When I came here, I was greatly surprised to see
20 that -- actually, people here don't consider water in
21 short supply at all. Very few people seem really
22 concerned about that. You don't hear people talk about
23 it; it's not reflected in the price of water.

24 There's very little incentive to actually think
25 about using water for anything. So I would urge CALFED

Page 67

1 to put conservation of water at the top of their
2 priority list and to strongly encourage, through public
3 education and more efficient ways of irrigation, more
4 appropriate landscaping, a wider availability of
5 domestic appliances that actually conserve water, and
6 maybe most of all, I would like to see a water price
7 that actually reflects the true cost of water. And
8 water in California has to be expensive, considering
9 the huge infrastructure we've built to supply this to
10 us. So I would like to say, I think it would help a
11 lot if people could actually see the true cost of
12 that. Okay, so thank you for listening to my comments,
13 and bye-bye.

14 HEARING OFFICER BODOVITZ: Thank you,
15 Mr. Tembrook.

16 Clark Dawson, Don Parent, George Plescia, if
17 I'm -- I hope I'm pronouncing your name right --
18 representing Senator Bill Morrow.

19 MR. DAWSON: Thank you. My name is
20 Clark Dawson, I'm the president of Clark Dawson
21 Company, and I apologize that I'm not smart enough to
22 speak extemporaneously, so with your indulgence, I'll
23 just read this.

24 I am concerned that CALFED has failed to deal
25 realistically with the problem of salinity and other

Page 68

1 contaminants in the water from the Bay-Delta.
2 San Diego must have a source of water from the Delta
3 that is consistently low in salinity to make local
4 water recycling and groundwater programs work
5 efficiently and economically. The California Water
6 Clearinghouse has called the Bay-Delta a national
7 ecological treasure; yet it is in a serious state of
8 decline.

9 The clean runoff from the Sierra Nevada
10 mountains feeds California's two largest rivers, the
11 Sacramento and the San Joaquin, which meet south of the
12 City of Sacramento to form the Bay-Delta estuary. Now
13 pollutants such as bromides, organic -- organic decay
14 and salts from seawater intrusion, plus dredging and
15 dam construction, have contaminated this once-healthy
16 source of water.

17 Removing these contaminants through recycling is
18 one solution to the problem. Recycling is a key method
19 of improving water quality, extending supplies, and
20 reducing wastewater disposal costs. Unfortunately, it
21 happens to be very expensive.

22 A report titled "Water Recycling 2000 -
23 California's Plan for the Future" sets a statewide goal
24 of one million acre feet for reclaimed water,
25 production and use. Major metropolitan areas of

Page 65 - Page 68

<p style="text-align: right;">Page 69</p> <p>1 Southern California, such as the San Diego region, are 2 expected to account for about 70 percent of this 3 projected volume. This goal is being made more 4 difficult to reach by present CALFED plans for 5 Bay-Delta water release. 6 Development and managing local resources depends 7 on good quality source water. Water recycling and 8 groundwater storage programs cannot work efficiently 9 with the high salinity water that flows from the 10 Delta. CALFED must come up with a plan to reduce 11 salinity of water delivered to Southern California so 12 that our economy can continue to grow. 13 A second issue which is not dealt with 14 sufficiently is water-storage capacity. Additional 15 storage south of the Delta is essential during periods 16 of drought, and it would be a dandy place to put water 17 in times of flood. Recent memory provides examples of 18 both conditions. 19 Water of high quality stored south of the Delta 20 is an essential component of continued economic health 21 for California. 22 Thank you. 23 HEARING OFFICER BODOVITZ: Thank you, 24 Mr. Dawson. 25 Don Parent, George Plescia, Judi Rogers.</p>	<p style="text-align: right;">Page 71</p> <p>1 and biomed of 39,000. 2 Our county water supply reaches us through 3 Metropolitan Water District pipelines. Therefore, 4 MWD's concerns are our concerns when it comes to 5 controlling salinity, the most important objective for 6 us in San Diego County. 7 The reduction of salinity from its present high 8 levels is a costly process for companies in the biotech 9 and high-tech fields. The present CALFED program does 10 not ensure the ability to meet Metropolitan's 500 11 milligram per liter's salinity blending target. That 12 lowered level would need to be subjected to further 13 reduction by biotech and high-tech industries. 14 CALFED also must move forward with South Delta 15 improvements to permit an increase in reliability of 16 water supply. With the tremendous increase in 17 California's population predicted over the next 18 20 years, approximately another 15 million people, 19 there definitely will be a crisis should the inevitable 20 drought occur during the next decade. We in San Diego 21 are taking -- in the San Diego area are taking steps to 22 increase our water supply through a transfer from the 23 Imperial Irrigation District. But even that addition 24 to our supply will not be enough. 25 Last spring, federal regulators threatened to</p>
<p style="text-align: right;">Page 70</p> <p>1 MR. PARENT: Good evening. My name is 2 Don Parent. I'm the chairman of the board of the East 3 County Development Council. 4 I -- unlike Mr. DuBois, I was not here earlier 5 to hear some of the presentation, so I apologize if I 6 am covering things that have already been addressed, 7 but I have a statement that I'd like to read from our 8 organization. But I think it covers all of the 9 economic development issues in the county. East County 10 economic development, over the years that I've been 11 involved, has never refused to hear a presentation on a 12 water issue. It's been very clear to us it's very 13 important to the health of our economy. 14 Let me begin by emphasizing the importance of 15 water quality and reliability of supply on production 16 by high-tech and biotech firms in our area. They 17 contribute billions to our regional economy and will 18 suffer financially unless CALFED makes significant 19 improvements in its program. The 1996 analysis 20 reported almost 52,000 people employed by 1,860 21 high-tech firms in San Diego County. The total payroll 22 was \$2.5 billion, with an average wage of \$48,000 a 23 year. Biotech firms plus biomed companies employed 24 over 28,000 people with an average combined payroll of 25 \$1.2 billion, and an average wage in biotech of 49,000</p>	<p style="text-align: right;">Page 72</p> <p>1 shut off the water to the nation's leading high-tech 2 industries in the Silicon Valley, and to prime 3 agricultural land in order to protect the Delta Smelt. 4 Against that background, I ask what assurances do our 5 high-tech and biotech industries have as to reliability 6 of supply. The CALFED report in one place states -- 7 HEARING OFFICER BODOVITZ: Mr. Parent, I 8 hate to have you start another subject here. The 9 time's up. 10 MR. PARENT: Thank you very much. 11 HEARING OFFICER BODOVITZ: Thank you, sir. 12 George Plescia, Judi Rogers, Steve Bilson. 13 MR. PLESCIA: Good evening. George Plescia 14 with State Senator Bill Morrow's office, who represents 15 north San Diego and South Orange Counties. 16 Senator Morrow appreciates the hard work that 17 has gone into CALFED's draft EIS and recognizes that 18 CALFED represents our best opportunity to craft a plan 19 that provides a reliable supply of high quality water 20 for California's cities and farms. 21 However, the plan presented in the draft EIS 22 falls short of achieving this very important goal 23 because it emphasizes environmental ends over water 24 supply objectives. This is not to say that restoration 25 of the Bay-Delta ecosystem is unimportant. The</p>

Page 73

Page 75

1 Bay-Delta is the most significant estuary on the West
2 Coast, and it needs to be restored as a healthy habitat
3 for wildlife. Ecosystem restoration also is essential,
4 because otherwise, drinking water supplies will
5 continue to threaten -- be threatened by regulators who
6 attempt to solve environmental problems by reducing
7 water diversions from the Delta.

8 CALFED already has acquired significant funding
9 for its ecosystem restoration program and, in fact, has
10 taken several actions to get the program under way.
11 But the environment is only one part of CALFED's
12 sweeping charge.

13 CALFED also appears to be emphasizing the
14 environment elsewhere in its program. For example, its
15 water supply and water quality programs rely heavily on
16 solutions that do not require new infrastructure,
17 something that appears to be anathema to the
18 environmental organizations.

19 For at least the first seven years, the CALFED
20 plan depends almost entirely on water conservation and
21 recycling to make water supplies for cities and farms
22 more reliable. Southern California is a national
23 leader in efficient water use, but while such programs
24 reduce the future need for Bay-Delta water, they alone
25 cannot improve the quality and reliability of drinking

Page 74

Page 76

1 water from the system.

2 Construction of increased storage capacity is
3 necessary to accomplish water quality and reliability
4 objectives. Additional storage also will help to open
5 the market for water transfers and manage the Bay-Delta
6 system in a way that benefits fisheries. Given this
7 emphasis on the environment over water supply, it is
8 indeed ironic that CALFED appears poised to ask water
9 providers and ultimately water users to foot much of
10 the initial \$5.2 billion bill for its plan. We must
11 ask, what will we in Southern California receive for
12 our undoubtedly considerable contribution to the CALFED
13 plan? Are we getting our money's worth?

14 CALFED needs to address this in its final EIS.
15 It must develop a finance plan that establishes an
16 explicit connection between the benefits that water
17 users receive and the money they pay. Along these same
18 lines, CALFED needs to provide firm assurances that its
19 plan will be carried out in a balanced and equitable
20 manner.

21 On Senator Morrow's behalf, I thank you for this
22 opportunity to comment on CALFED's draft EIS.

23 HEARING OFFICER BODOVITZ: Thank you,
24 Mr. Plescia. We appreciate hearing the senator's
25 comments.

1 Judi Rogers, Steve Bilson, R. Alan Smith.

2 MS. ROGERS: I have to take mine off to
3 read.

4 Good evening. My name is Judi Rogers, and I
5 happen to be a San Diego native. But in my
6 professional life, I serve as the field representative
7 for the California Farm Bureau for 12 counties,
8 including San Diego. I have attended several of these
9 hearings and feel strongly that the continued myth
10 about agriculture using 80 percent of California's
11 water supply must be dispelled. Although I didn't hear
12 that figure tonight, in previous hearings, a number of
13 speakers have used that figure. And left unchallenged,
14 that myth allows people to believe California's water
15 problems can be solved by simply limiting water
16 supplies to the farmers.

17 According to the Department of Water Resources,
18 two-thirds of the precipitation California receives
19 each year stays in the environment through evaporation
20 and by use of native plants. Of the runoff into rivers
21 and streams, more than 30 percent stays in the
22 environment as outflow to the ocean. Of the remaining
23 runoff, 40 percent -- 46 percent is dedicated to the
24 environment, 43 percent to farms, and 11 percent to
25 urban uses. I believe Mr. Pauli said earlier that

1 farmers have made constant and consistent improvements
2 in efficiency. And I would like to reiterate that.
3 Total water use is now less than it was 30 years ago
4 statewide, but production is up 67 percent.

5 Your plan thus far is flawed. Fish and wildlife
6 habitat are very important to the overall ecosystem,
7 but certainly not more important than farmers working
8 diligently to provide food for our tables and clothes
9 for our body. CALFED must be -- CALFED must place
10 greater emphasis on development of new water supplies.
11 Adding to our supplies will give our water system
12 greater flexibility to provide for all of our needs,
13 human and environment, during the next drought, which
14 is inevitable.

15 Thank you.

16 HEARING OFFICER BODOVITZ: Thank you,
17 Ms. Rogers.

18 I have four more cards, so this is kind of the
19 last call for signing up. If you haven't already
20 signed a card and wish to speak, please fill out one of
21 the cards on the table outside. Otherwise, we'll
22 conclude after we hear four more speakers.

23 Steve Bilson, R. Alan Smith and Harvey Porter.

24 MR. BILSON: My name is Steve Bilson and I'm
25 chairman and CEO of ReWater Systems. I'm also a fourth

Page 77

1 generation Californian, and we have -- I have a unique
2 perspective. We sell a legal gray-water irrigation
3 system. I know I've talked with a lot of you guys
4 about what we do and, basically, we allow our residents
5 to reuse their own water for landscape irrigation. And
6 I've been harping on this for years, and I never see it
7 suggested as any of the suggestions.

8 And it's more than just reusing the water of the
9 local residents. It's also -- it's a water quality
10 issue. Because people that reuse their own water will
11 use a detergent that doesn't harm their own landscape.
12 What's left that goes to the city, the black water, no
13 longer has the surfactants and the other chemicals that
14 make the reclaimed water so bad. So it is a win-win
15 situation when people recycle their own water.

16 I took an exploratory tour over in Denmark and
17 Norway to see what kind of detergent and laundry
18 products they were using over there, and they're famous
19 for having clear water everywhere you go. And they
20 just simply use the right stuff. And you guys are
21 smart guys. In your recommendations, you should
22 include the suggestion that we just use the right stuff
23 here, and what's left, the residual that goes into the
24 reclaimed, will be of much higher quality. I mean,
25 we're adding more salts here locally than are imported

Page 78

1 in the crummy water we get from the Colorado. So it
2 makes a lot of sense to look at what we do to the water
3 here even locally. Which is not to say that it
4 wouldn't hurt to bring a little water down from
5 Northern California. That's not something I'm an
6 expert at, but I flew up to Sacramento to do some
7 legislative stuff last month, and Sacramento was
8 over-the-edges practical and so different than down
9 here. But there are other ways to clean up the water
10 and make it less saline and less alkaline. I would
11 suggest that you just put those comments and
12 suggestions into your program, and maybe some
13 legislature will carry the ball and we'll have cleaner
14 water.

15 HEARING OFFICER BODOVITZ: Thank you,
16 Mr. Bilson.

17 R. Alan Smith, Harvey Porter and Rita McIntyre.

18 MR. SMITH: Good evening. My name is
19 Alan Smith. I'm director of public policy for Biocomp
20 San Diego, which is the regional trade association for
21 the life science industry.

22 Most other regional, state and national life
23 science organizations deal with only one aspect of the
24 life sciences, but because of a rather unique
25 clustering of biotechnology, biopharmaceutical, medical

Page 77 - Page 80

Page 79

1 device and diagnostics, and bioagriculture companies
2 here, Biocomp represents all four of these very diverse
3 groups within the life science industry.

4 Water is near and dear to our heart. Biocom
5 came into existence as a public policy voice for the
6 industry in response to the drought of 1990-'91.
7 Since that time we've added a lot of other issues to
8 our agenda, but the one that has always remained high,
9 if not at the top, is the quality of water.

10 We don't possess the staffing or the expertise
11 to provide a thorough technical evaluation of the draft
12 programmatic environmental documents. However, we've
13 consulted within our industry and with other trade
14 organizations and with the San Diego County Water
15 Authority, and we've reviewed the comments of CWA with
16 respect to the environmental documents, and we agree
17 with most, if not all, of the concerns which they have
18 raised, and we have a high degree of confidence in the
19 regional leadership that the San Diego County Water
20 Authority has provided on this issue and support the
21 positions that they have espoused with respect to the
22 draft environmental documents.

23 We do wish to take this opportunity, however, to
24 raise your awareness about two specific issues related
25 to consistency of the water supply. First is with

Page 80

1 respect to the quantity. If life science companies are
2 going to prosper, grow, and survive in California, we
3 need assurance that there will be a consistent quantity
4 of water, Monday through Friday, winter, spring, summer
5 and fall. IDAK Pharmaceutical, for example, has been
6 contemplating for some time a manufacturing plant that
7 would jump them from 65,000 gallons of water a day as
8 an R and D to 750,000 gallons a day as a manufacturing
9 facility. And finally, with respect to consistency of
10 quality, the variability is so great that if we built
11 our purification systems for the worst case scenarios,
12 they're overly expensive and we don't need them all the
13 time. If we build them to lower standards and then we
14 have too much sub-standard water, then we run great
15 risks that our equipment will be damaged and our
16 product production will be disrupted.

17 So we hope that you will find ways to narrow the
18 range of variability in the water quality that is
19 delivered to us.

20 Thank you.

21 HEARING OFFICER BODOVITZ: Thank you,
22 Mr. Smith.

23 Harvey Porter, Rita McIntyre.

24 MR. PORTER: Good evening. My name is
25 Harvey Porter. I'm here representing the Industrial

Page 81

1 Environmental Association of San Diego. We're an
2 industry organization. Our members are anywhere from
3 heavy industry to biotech, anything in between.

4 First of all, we want to comment on the work of
5 the CALFED project. It's only through this kind of
6 focused and dedicated effort with everyone at the table
7 working together that we will be able to make
8 progress. I'm here tonight because we do feel some
9 unresolved issues should be addressed in the EIR/EIS
10 before it is finalized.

11 Three areas of particular interest to IEA.
12 Specifically, first we believe that defined water
13 quality milestones should be identified. A method
14 devised to measure progress and a schedule for
15 improvements should be adopted as part of the EIR/EIS
16 process to achieve long-term water quality goals.

17 Secondly, regulatory certainty and
18 predictability are of great importance. Once CALFED
19 adopts a plan and begins implementation, it is critical
20 that water purveyors understand exactly how to comply
21 with the regulatory demands.

22 Third, a financing plan needs to be assembled
23 which will assure businesses have access to affordable
24 water.

25 Again, we congratulate CALFED on this tremendous

Page 82

1 undertaking and look forward to working with you as the
2 progress moves forward.

3 Thank you.

4 HEARING OFFICER BODOVITZ: Thank you,
5 Mr. Porter.

6 Rita McIntyre.

7 MS. MCINTYRE: My name is Rita McIntyre and
8 I'm the last speaker. Is that correct? Well, that's
9 only appropriate because I live in Chula Vista, and I'm
10 at the end of the pipe. I live eight miles from the
11 Mexican border, and I certainly appreciate this
12 opportunity.

13 And I think that the CALFED plan needs, in many
14 instances, as you've heard tonight, to go back to the
15 drawing board on some of the issues. My position is
16 the sustainable solutions, which California has always
17 been a leader in looking at innovative technology in
18 all things that we do, political and environmental, and
19 that a watershed approach to water management is one
20 that should be viewed more thoroughly; that the water
21 conservation issue, management, and restoration is
22 critical to our future.

23 The water recycling, which I'm happy to hear
24 there are many areas they're already doing this. The
25 groundwater storage and pollution prevention are areas

Page 83

1 that certainly should be looked at more thoroughly; as
2 well, advanced water treatment technologies. And that,
3 as I understand, your Stage I will be up to seven
4 years, and that I hope that CALFED will not consider
5 the new or expanded dams, canals, or reservoirs until
6 after this first stage when alternative solutions have
7 been given a real chance to work. We, as taxpayers,
8 should not subsidize these options, as these are
9 generally the most expensive and most environmentally
10 damaging.

11 Thank you very much.

12 HEARING OFFICER BODOVITZ: Thank you,
13 Ms. McIntyre.

14 Thank you all for your patience and perseverance
15 tonight and for some excellent testimony. We very much
16 appreciate your coming. And if there are no further
17 speakers, the hearing is adjourned.

18 (Proceedings concluded at 9:00 p.m.)

19 -oOo-

Page 84

1 STATE OF CALIFORNIA)
2 COUNTY OF SAN DIEGO) ss.

3

4

5 I, BECKY L. OWENS, Certified Shorthand
6 Reporter of the State of California, do hereby certify:

7 That on the 1st day of September, 1999, at
8 the hour of 7:00 p.m., I took down in shorthand notes
9 the said Bay-Delta Public Hearing; that I thereafter
10 transcribed my shorthand notes of such proceedings by
11 computer-aided transcription, the above and foregoing
12 being a full, true and correct transcription thereof,
13 and a full, true and correct transcript of all
14 proceedings had and testimony given.

15

16

17

18

19 Certified Shorthand Reporter in and for the
20 County of San Diego, State of California

21

22 * QUALITY COMPUTERIZED TRANSCRIPTION *
23 * -by- *
24 * PORTALE & ASSOCIATES DEPOSITION REPORTERS *
25 * 211 East Weber Avenue *
* Stockton, California 95202 *
* (209) 462-3377 *
* BECKY L. OWENS, CSR NO. 11944 *